

AGENDA

HYDE COUNTY BOARD OF COMMISSIONERS' ORGANIZATIONAL MEETING

MONDAY, DECEMBER 3, 2018 – 6:00 PM

CALL TO ORDER

OPENING

CONSIDERATION OF AGENDA

CONSIDERATION OF MINUTES

November 5, 2018 – Regular Meeting Minutes

PRESENTATIONS

County Commissioners Barry Swindell and Dick Tunnell – Commendation

ORGANIZATIONAL MEETING

- 1) Opening of Organizational Meeting – Earl Pugh, Jr., Chairman
- 2) Nomination and Election of Board Chairman
- 3) Chair Takes Over Organizational Meeting
- 4) Nomination and Election of Vice-Chairman
- 5) Appointment of County Attorney
 - Franz Holscher, Attorney
- 6) Appointment of Board Clerk
 - Lois Stotesberry, CMC, NCCCC
- 7) Appointment of Deputy Clerks
 - Justin Gibbs
 - Rosemary Johnson
 - Donnie Shumate

**Hyde County Board of Commissioners
AGENDA ITEM SUMMARY SHEET**

Meeting Date: December 3, 2018
Presenter: Lois Stotesberry, Clerk
Attachment: Yes

ITEM TITLE: CONSIDERATION OF MINUTES

SUMMARY: Attached are the November 5, 2018 Regular Meeting Minutes of the Hyde County Board of Commissioners.

RECOMMEND: Review, Amend and Approve.

MOTION MADE BY: ☐ PUGH
☐ SIMMONS
☐ PAHL
☐ SWINDELL
☐ TOPPING

MOTION SECONDED BY: ☐ PUGH
☐ SIMMONS
☐ PAHL
☐ SWINDELL
☐ TOPPING

VOTE: ☐ PUGH
☐ SIMMONS
☐ PAHL
☐ SWINDELL
☐ TOPPING

Regular Meeting Minutes

**Board of County Commissioners
Hyde County**

Monday, November 5, 2018

Following opening prayer by Commissioner Tunnell and Pledge of Allegiance, the Regular Meeting of the Hyde County Board of Commissioners was called to order at 6:07p.m., on Monday, November 5, 2018, in the Hyde County Government Center, Multi-Use Room, and the Ocracoke Community Center using electronic conferencing equipment.

Justin Gibbs, ES Director reported equipment failure on the electronic conferencing equipment projector.

Chairman Pugh commended Commissioners Tunnell and Swindell for their service to Hyde County and thanked Attorney Fred Holscher for attending the meeting.

The following members were present on the mainland: Chairman Earl Pugh, Jr.; Vice-chairman Barry Swindell; Commissioners Dick Tunnell and Ben Simmons; County Manager Kris Cahoon Noble; Special Projects Coordinator Bill Rich; Attorney Fred Holscher; Clerk to the Board Lois Stotesberry; and, members of the public.

Justin Gibbs, ES Director ran the electronic conferencing equipment on the Mainland and IT Director Donnie Shumate ran the equipment on Ocracoke.

Members of the public were present on Ocracoke.

Commissioner Tom Pahl was absent.

Consideration of Agenda:

Commissioner Swindell moved to approve the Monday, November 5, 2018 Board of Commissioners Regular Meeting Agenda as presented by the Clerk. Mr. Simmons seconded the motion. The motion passed on the following vote: Ayes – Pugh, Swindell, Tunnell and Simmons; Nays – None; Absent or not voting – Pahl.

Consideration of Minutes:

October 1, 2018 – Regular Meeting

Commissioner Tunnell moved to approve the October 1, 2018 Hyde County Board of Commissioners Regular Meeting Minutes as presented by the Clerk with correction on page 5 – line 7 – Building Inspector Joey Spencer (~~Ocracoke~~) (Mainland) and John Contestable (~~Mainland~~) (Ocracoke). Mr. Swindell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Swindell, Tunnell and Simmons; Nays – None; Absent or not voting – Pahl.

Presentations:

Report of Tax Collections Month Ending September 30, 2018

Linda Basnight, Tax Administrator, presented the October 2018 tax collections reports.

Commissioner Simmons moved to accept the October 31, 2018 Hyde County Tax Collections Report as presented. Commissioner Swindell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Swindell, Tunnell and Simmons; Nays – None; Absent or not voting – Pahl.

Airport Consultant Contract Award

Jane Hodges, Airport Manager, reported every five years the Department of Aviation requires all airports put out a bid for consulting services. Ms. Hodges reported only one bid was made and a second bid advertisement is not required.

The only applicant was Talbert & Bright, Inc. They have been the consultant for Hyde County Airport since the earliest days of operation and state funded grants.

Commissioner Swindell moved to award Master Contract for Engineering and Related Work At The Hyde County Airport for Hyde County, NC to Talbert & Bright, Inc. for aviation planning services. Commissioner Simmons seconded the motion. The motion passed on the following vote: Ayes – Pugh, Swindell, Tunnell and Simmons; Nays – None; Absent or not voting – Pahl.

Requests For Citizen Input To Update Parks And Recreation Master Plan

Natalie Wayne, Cooperative Extension Director, reported in 2014 Hyde County Office of Planning and Economic Development completed the Hyde County Parks and Recreation Plan. Meetings and public workshops were held, research compiled and community surveys were conducted to gather input from the community. The Plan was officially adopted by the Hyde County Board of Commissioners on Monday, July 7, 2014.

The updated plan is complete with an existing asset summary, state recreation guidelines, community identified needs and potential grant funding sources. Data for Ocracoke and the Mainland are clearly separated and countywide trends are also identified.

To help meet the current needs of the community, the county once again asked for citizen input for possible updates or amendments to the Hyde County Parks and Recreation Master Plan. Residents were encouraged to visit the Parks and Rec page at <http://www.hydecountync.gov/departments/docs/FinalPRPlan72014.pdf> to view the 2014 Hyde County Parks and Recreation Master Plan and input ideas to be included in the plan and/or write comments.

Randy Etheridge, Brandon and Adrian Marshall, Edward Torres, and Page Smith commended Natalie Wayne and Lee Brimmage for their involvement in the Parks and Recreation Program; and, support application for grant funding to build a sports complex in Hyde County.

Employee/ Volunteer/ Friend of Hyde County:

County Manager Kris Cahoon Noble named The North Carolina House Transportation Committee the Hyde County Friend of the Month.

Public Comments:

Peter Vankevich, Ocracoke Observer – thanked Manager Kris Noble for a productive meeting about the convenience site on Ocracoke.

Commissioner Ben Simmons – offered to assist with putting the ballfield fence back up at Mattamuskeet Early College High School.

County Manager Noble – invited the Board of Education to a joint meeting in December.

Hearing no further comments from the public, Chairman Pugh continued the meeting.

Items Of Consideration:

Proclamation Ending State of Emergency

Justin Gibbs, Emergency Services Director, reported a state of emergency no longer exists for Ocracoke and Mainland Hyde County.

Commissioner Pahl moved to adopt "Resolution To Ratify Board Action Related To Hurricane Florence". Commissioner Simmons seconded the motion. The motion passed on the following vote: Ayes – Pugh, Swindell, Tunnell and Simmons; Nays – None; Absent or not voting – Pahl.

Clerk's Note: A copy of "Proclamation – Termination of State of Emergency for Hyde County – Hurricane Florence" is attached herewith as Exhibit A and incorporated herein by reference.

Resolution In Support of JCPC Allocation Expansion

Kris Cahoon Noble, County Manager, reported Nancy Hodges, Area Consultant, JCPC, requests Juvenile Crime Prevention Council (JCPC) allocation expansion be tabled until the next regularly scheduled Hyde County Board of Commissioners meeting on December 3, 2018.

Appointment of Hyde County Commissioner Representative To The School Justice Partnership Under JCPC

Kris Cahoon Noble, County Manager, reported Nancy Hodges, Area Consultant, JCPC, requests appointment of a commissioner representative to serve on the School Justice Partnership under the JCPC Council be tabled until the next regularly scheduled Hyde County Board of Commissioners meeting on December 3, 2018.

Commissioner Swindell moved to table requests for Juvenile Crime Prevention Council (JCPC) allocation expansion and for appointment of a commissioner representative to serve on the School Justice Partnership under the JCPC Council until the next regularly scheduled Hyde County Board of Commissioners meeting on December 3, 2018. Commissioner Simmons seconded the motion. The motion passed on the following vote: Ayes – Pugh, Swindell, Tunnell and Simmons; Nays – None; Absent or not voting – Pahl.

Appointment – Board of Health

Luana Gibbs, Health Director, at its October 9, 2018 meeting the Hyde County Board of Health approved the recommendation for appointment of Mike Caton to serve a three year term on the Health Board. Mr. Caton lives in the Ponzer/Grassy Ridge area and serves as the preacher for the Mt. Olive Church of Christ.

Commissioner Swindell moved to appoint Mike Caton to serve a three term on the Hyde County Health Department. Commissioner Simmons seconded the motion. The motion passed on the following vote: Ayes – Pugh, Swindell, Tunnell and Simmons; Nays – None; Absent or not voting – Pahl.

Approval of Revised Agreement With Ferry View Partners

Bill Rich, Special Projects Coordinator, presented the revised Ferry View Partners, LLC / Hyde County Agreement recommended by the County Attorney. The agreement effective October 1, 2018 is revised to allow the tenant to immediately own the building.

Commissioner Tunnell moved to approve the revised agreement between Ferry View Partners, LLC and Hyde County as presented. Commissioner Swindell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Swindell, Tunnell and Simmons; Nays – None; Absent or not voting – Pahl.

Thank You Letter To House Transportation Committee

Kris Cahoon Noble, County Manager, reported on August 27, 2018 the House Transportation Committee visited Ocracoke Island where presentation was made by the Ocracoke Island Waterways Committee.

Commissioner Swindell moved to authorize the County Manager to work with the Ocracoke Island Waterways Committee to send a thank you letter to the House Transportation Committee highlighting the August presentation and

1 asking for a follow-up meeting to discuss funding for dredging projects. Commissioner Simmons seconded the motion.
2 The motion passed on the following vote: Ayes – Pugh, Swindell, Tunnell and Simmons; Nays – None; Absent or not
3 voting – Pahl.

4 **Fairfield Drainage District – Tideland EMC Infrastructure Loan**

5 **Daniel Brinn, Water and Flood Control Coordinator**, reported the Fairfield Drainage Commissioners met on Monday
6 October 29, 2018 to discuss needed work to repair damage to the district's levee system resulting from Hurricane
7 Matthew. The district has a project worksheet approved by FEMA that will reimburse the cost of the repairs once
8 completed. The District is requesting help securing the funds in order to complete the work required. Fairfield Drainage
9 District wishes to secure a loan at 0% interest for 10 years in the amount of \$375,000.00 for Hyde County Drainage
10 District No. 7 (Fairfield Drainage District) through a loan program offered by Tideland EMC with Hyde County as the
11 principal borrower. Upon completion of the project and reimbursement by FEMA, the District will repay the loan.

12 Commissioner Swindell moved to recuse Commissioner Simmons from voting citing conflict of interest. Commissioner
13 Simmons is a Fairfield Drainage District Commission. Commissioner Tunnell seconded the motion. The motion passed
14 on the following vote: Ayes – Pugh, Swindell and Tunnell; Nays – None; Absent or not voting – Pahl and Simmons.

15 Commissioner Swindell moved to authorize the County Manager to work with the County Attorney to create a
16 contractual relationship between the County and the Fairfield Drainage District (No. 7) in which the District is obligated
17 to repay Hyde County any funds with which the County assists the District; and, to authorize the County Manager to
18 enter into the financing alternative, close the loan, receive the funds, make payment to the Fairfield Drainage District and
19 begin receiving loan payments in January 2019. Commissioner Tunnell seconded the motion. The motion passed on the
20 following vote: Ayes – Pugh, Swindell and Tunnell; Nays – None; Absent or not voting – Pahl and Simmons.

21 **Change In Salary Grade for Building Inspections Position**

22 **Kris Cahoon Noble, County Manager**, reported Hyde County is currently advertising the open Building Inspector
23 position and requests a salary grade increase be considered to make the compensation more commensurate with the
24 duties and advanced knowledge and skills required to fulfill the position.

25 Commissioner Simmons moved to authorize the County Manager to change and advertise the Building Inspector
26 position Grade 67 to a Grade 72. Commissioner Swindell seconded the motion. The motion passed on the following
27 vote: Ayes – Pugh, Simmons, Swindell and Tunnell; Nays – None; Absent or not voting – Pahl.

28 **Colocation of Telecommunications Equipment On Existing Towers**

29 **Donnie Shumate, Information Technology Director**, presented three requests for approval to collocate
30 telecommunications equipment per Hyde County Ordinance Sec. 40-225. These facilities should be considered as
31 (a) (2) antenna located on existing WTS facilities. A higher order WTS preference was not chosen because the existing
32 towers are not stealth structures. All parties involved have submitted the necessary paperwork and the applications meet
33 the requirements of the Hyde County Wireless Telecommunications Facility Ordinance.

34 1) Hightower Communications will install a US Cellular two (2) foot microwave dish on an existing tower located on
35 the Ocracoke Water Tower. The Ocracoke Sanitary District, which operates the tower, approved this addition at
36 their October meeting.

37 2) New Horizon Towers will install a new US Cellular Wireless Telecommunications Facility collocated on the
38 existing Bishop Road Tower in Scranton, NC. US Cellular currently does not have adequate coverage in this area.

39 3) Hightower Communications will install a US Cellular two (2) foot microwave dish on an existing tower located on
40 Cedar Road, Ocracoke, NC.

Commissioner Swindell moved to approve US Cellular's three (3) requests for telecommunications equipment colocation as presented by IT Director Donnie Shumate. Commissioner Simmons seconded the motion. The motion passed on the following vote: Ayes – Pugh, Simmons, Swindell and Tunnell; Nays – None; Absent or not voting – Pahl.

Budget Transfers:

Cooperative Extension Service

Services Rendered	\$7,000.00
Equipment	\$7,000.00

Department of Social Services

Crisis Intervention Payment	\$6,138.00
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Public Management Entity

Pump Maintenance & Repairs	\$5,000.00
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Commissioner Swindell moved to approve the CES, DSS and PME budget transfers as presented. Commissioner Simmons seconded the motion. The motion passed on the following vote: Ayes – Pugh, Simmons, Swindell and Tunnell; Nays – None; Absent or not voting – Pahl.

Management Reports:

Commissioner Tom Pahl – absent.

Commissioner Ben Simmons – reported the West Quarter pumping station started up last week. He discussed the need for the recreation project. He thanked Commissioners Swindell and Tunnell for their service to Hyde County.

Vice-chair Barry Swindell – discussed the need for a recreation project.

Commissioner Dick Tunnell – attended the meeting with Governor Cooper after Hurricane Florence. He serves as Chairman of the Mid-East Housing Authority and would like to continue serving when his term on the Hyde County Board of Commissioners ends in December.

Chairman Earl Pugh, Jr. – attended the meeting with Governor Cooper after Hurricane Florence, Ocracoke Control Group meeting and the Southern Albemarle Association dinner hosted by Hyde County. He reported Kathy Davison, Executive Director, Albemarle Commission, resigned effective October 31.

County Manager Kris Cahoon Noble – reported activities of the manager's office:

- Chamber of Commerce Veterans Dinner on November 9th at 6:00p.m. at MECHS invitation
- Legislative Goals Conference on January 10-11, 2019 in Raleigh
- Successful completion of the Building Reuse project
- Conflict of Interest Statement (commissioners signatures needed) to complete the Ocracoke Tram project
- Solid Waste meeting on Ocracoke with James Blount
- EMS project update on bid process
- Waterways Committee, NPS and NC DOT meeting scheduled
- Golden LEAF grants submitted
- CDBG-NR grant submitted
- CDBG Infrastructure (sewer) grant submitted
- Davis School roof project update
- Six houses being elevated

1 **Public Comments:**

2 **Connie Leinbach, Ocracoke** – requested update on the new Ocracoke EMS Building project.

3 **Kris Noble, County Manager** – reported EMS will move within the next two weeks with a six month turn-around time
4 on the new Ocracoke EMS Building project.

5 **Seldon Taylor, Swan Quarter** – reported he has been a Hyde County resident for ten years and is a serving member on
6 the Swan Quarter Sanitary District Board. Mr. Taylor informed the Board that he submitted an application for the
7 Building Inspector position. He has 40-years work experience throughout North Carolina, Virginia and Maryland.

8 Mr. Taylor also requested County Animal Control assistance with several dangerous neighborhood dogs.

9 **Guire Cahoon, Sheriff** – reported Tyrrell County is contracted to assist Hyde County with vicious and/or potentially
10 dangerous dogs or reported dog bite cases.

11 **Kris Noble, County Manager** – reported the county is not in a position to enforce the ordinance at this time. She and
12 County Attorney Holscher are reviewing the County Animal Control Ordinance.

13 Hearing no further comments from the public, Chairman Pugh continued the meeting.

14 **Closed Session** (none)

15
16 **Adjourn**

17 Commissioner Simmons moved to adjourn the meeting. Mr. Swindell seconded the motion. The motion passed on the
18 following vote: Ayes – Pugh, Tunnell, Simmons and Swindell; Nays – None; Absent or not voting – Pahl.

19 The meeting adjourned at 7:40p.m.

20
21 Respectfully submitted:

22
23 Minutes approved on the 3rd day of December, 2018.

24
25 Attest:

26
27
28
29
30
31 _____
32 Lois Stotesberry, CMC, NCCCC
33 Clerk, Hyde County Board of Commissioners

34 _____
35 Earl Pugh, Jr.
Chair, Hyde County Board of Commissioners

34 **Attachments:**

35 **Exhibit A: “Proclamation – Termination of State of Emergency for Hyde County – Hurricane Florence”**

Hyde County Board of Commissioners
AGENDA ITEM SUMMARY SHEET

Meeting Date: December 3, 2018
Presenter: Chairman Earl Pugh, Jr.
Attachment: No

ITEM TITLE: OPENING

SUMMARY: Call to Order
Opening Prayer
Pledge of Allegiance

Hyde County Board of Commissioners
AGENDA ITEM SUMMARY SHEET

Meeting Date: December 3, 2018
Presenter: Chairman Earl Pugh, Jr.
Attachment: Yes

ITEM TITLE: CONSIDERATION OF AGENDA

SUMMARY: Attached is the proposed Agenda for the December 3, 2018 Regular Meeting of the Hyde County Board of Commissioners.

RECOMMEND: Review, Amend and Approve.

MOTION MADE BY: ___ PUGH
___ SIMMONS
___ PAHL
___ SWINDELL
___ TOPPING

MOTION SECONDED BY: ___ PUGH
___ SIMMONS
___ PAHL
___ SWINDELL
___ TOPPING

VOTE: ___ PUGH
___ SIMMONS
___ PAHL
___ SWINDELL
___ TOPPING

AGENDA

HYDE COUNTY BOARD OF COMMISSIONERS' REGULAR MEETING

MONDAY, DECEMBER 3, 2018 – 6:00 PM

CALL TO ORDER

CONSIDERATION OF AGENDA

PUBLIC HEARINGS (none)

INTRODUCTIONS

PRESENTATIONS

- 1) Mattamuskeet Watershed Restoration Plan Service District Recommendation Daniel Brinn

RECOGNITION OF EMPLOYEE/ VOLUNTEER/ FRIEND OF HYDE COUNTY

PUBLIC COMMENTS

Public Comments are a time for the public to make comments to the County Commissioners. Comments should be kept to three (3) minutes or less and comments should be directed to the entire Board and not to individual members, the staff or to other members of the public. Comments requesting assistance will typically be referred to the County Manager for follow-up or for Board action at a future meeting.

ITEMS OF CONSIDERATION

1) Ordinances – Resolutions – Proclamations

- Resolution In Support of Juvenile Crime Prevention Council
Allocation Expansion Phillip Holloway
- Resolution Establishing Regular Meeting Kris Noble

2) Appointments

- Board of Health Luana Gibbs

3) NCACC Legislative Goals Conference Voting Delegate Designation Kris Noble

4) Notice of Request for Proposal – Grant Administration Services

for Hyde County HMGP & FMA Projects Kris Noble

5) Ocracoke Occupancy Tax Board Recommendations ——— Kris Noble

BUDGET MATTERS: (none)

MANAGEMENT REPORTS

The Commissioners, County Manager and Assistant County Manager will share with the public their various activities and ideas for continuous improvement of government services to the citizens.

PUBLIC COMMENTS

The public is invited to use this time to make comments to the County Commissioners on items discussed during this meeting and/or matters not discussed earlier in the meeting.

CLOSED SESSION (discussion and possible action if required)

ADJOURN

SUPPLEMENTAL INFORMATION

Department Reports

- 1) Tax Department (requires signature)
- 2) Inspections
- 3) Human Resources
- 4) IT Department
- 5) **Health Department**
- 6) Department of Social Services
- 7) Senior Center
- 8) Soil & Water
- 9) Cooperative Extension
- 10) Airport

Informational Items

- 1) Hyde County 2018 Election Statistics
- 2) Beaufort County – Solar Energy Facilities Ordinance

**Hyde County Board of Commissioners
AGENDA ITEM SUMMARY SHEET**

Meeting Date: December 3rd, 2018
Presenter: Daniel Brinn

Attachment:

ITEM TITLE: Mattamuskeet Watershed Restoration Plan Recommendation to form a Service District

SUMMARY: For the last 18 Months Hyde County has been working with the US Fish and Wildlife Service, and the North Carolina Wildlife Resources Commission through a collaborative partnership to address concerns at Lake Mattamuskeet. The result of this collaboration is the development of the Mattamuskeet Watershed Restoration Plan. Its goals are to address Water Quantity issues (prevent flooding), Water Quality concerns (removal of the lake from the 303d list) and Preserve the Way of life within the lake watershed (protect historic uses). One of the prioritized actions within the plan is the formation of a Service District. It would be the Responsibility of the Service District to oversee the implementation of the plan goals including active water management on Lake Mattamuskeet.

RECOMMEND:

THE COMMISSIONERS BE AWARE OF THE DEVELOPEMNT OF THE MATTAMUSKEET WATERSHED RESTORATION PLAN AND PROVIDE SUPPORT IN THE FUTURE WITH THE FORMATION OF A SERVICE DISTRICT THAT WOULD OVERSEE THE PLANS IMPLIMENTATION

Motion Made By: ☐ Earl Pugh, Jr.
☐ Barry Swindell
☐ Dick Tunnell
☐ Ben Simmons
☐ Tom Pahl

Motion Seconded By: ☐ Earl Pugh, Jr.
☐ Barry Swindell
☐ Dick Tunnell
☐ Ben Simmons
☐ Tom Pahl

Vote: ☐ Earl Pugh, Jr.
☐ Barry Swindell
☐ Dick Tunnell
☐ Ben Simmons
☐ Tom Pahl

**Hyde County Board of Commissioners
AGENDA ITEM SUMMARY SHEET**

Meeting Date: December 3, 2018
Presenter: County Manager Kris Noble
Attachment: No

ITEM TITLE: EMPLOYEE/VOLUNTEER/FRIEND OF THE MONTH

SUMMARY: Manager Kris Noble will announce the Employee, Volunteer and/or Friend of the County for the month of December, 2018.

RECOMMEND: Congratulations.

MOTION MADE BY: ☐ PUGH
☐ SIMMONS
☐ PAHL
☐ SWINDELL
☐ TOPPING

MOTION SECONDED BY: ☐ PUGH
☐ SIMMONS
☐ PAHL
☐ SWINDELL
☐ TOPPING

VOTE: ☐ PUGH
☐ SIMMONS
☐ PAHL
☐ SWINDELL
☐ TOPPING

Hyde County Board of Commissioners
AGENDA ITEM SUMMARY SHEET

Meeting Date: December 3, 2018
Presenter: Citizens
Attachment: No

ITEM TITLE: PUBLIC COMMENTS

SUMMARY: Citizens are afforded an opportunity at this time to comment on issues they feel may be of importance to the Commissioners and to their fellow citizens.

Comments should be kept to (3) minutes and directed to the entire Board, not just one individual Commissioner, staff member or to a member of the audience.

Time for one person cannot be used by another person.

Comments that reflect the need for additional assistance will be directed to the County Manager or referred to a future meeting agenda.

RECOMMEND: Receive comments.

Hyde County Board of Commissioners
AGENDA ITEM SUMMARY SHEET

Meeting Date: December 3, 2018
Presenter: Phillip Holloway
Attachment: Yes – Resolution in Support of JCPC Allocation Expansion

ITEM TITLE: RESOLUTION IN SUPPORT OF JUVENILE CRIME PREVENTION COUNCIL ALLOCATION EXPANSION

SUMMARY: The Juvenile Crime Prevention Council (JCPC) funding is a partnership between the State of North Carolina and Hyde County to ensure a local continuum of services for court involved and at-risk juvenile.

The Juvenile Reinvestment Act of 2017 also referenced as North Carolina's Raise the Age legislation, expands the age of juvenile jurisdiction, increasing it to include juveniles ages 16 and 17 years of age effective December 1, 2019 and encourages School Justice Partnerships to address the reduction of school-based juvenile complaints thereby increasing the need for immediate and age-appropriate sanctions for juvenile offenders. The JCPC annually reviews the needs of juveniles in the county who are at risk of delinquency or who have been adjudicated undisciplined or delinquent and the resources available to address those needs. The JCPC funding has not increased in more than nine years. We are requesting support for an adequate and timely increase in the allocation of local JCPC funding to ensure expansion of the program and successful implementation of the Juvenile Justice Reinvestment Act Raise the Age Legislation, set for December 1, 2019.

RECOMMEND: ADOPT RESOLUTION

Motion Made By: ☐ Earl Pugh, Jr.
☐ Shannon Swindell
☐ James Topping
☐ Ben Simmons
☐ Tom Pahl

Motion Seconded By: ☐ Earl Pugh, Jr.
☐ Shannon Swindell
☐ James Topping
☐ Ben Simmons
☐ Tom Pahl

Vote: ☐ Earl Pugh, Jr.
☐ Shannon Swindell
☐ James Topping
☐ Ben Simmons
☐ Tom Pahl

Board of Commissioners

Earl Pugh, Jr., Chair
Barry Swindell, Vice-Chair
Benjamin Simmons, III
Tom Pahl
Dick Tunnell

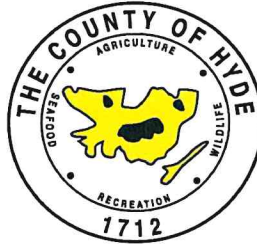
COUNTY OF HYDE

30 Oyster Creek Road
PO Box 188
SWAN QUARTER, NORTH CAROLINA 27885
252-926-4400
252-926-3701 Fax

Kris Cahoon Noble
County Manager

Franz Holscher
County Attorney

Lois Stotesberry, CMC, NCCCC
Clerk to the Board



**HYDE COUNTY BOARD OF COMMISSIONERS
RESOLUTION IN SUPPORT OF
JUVENILE CRIME PREVENTION COUNCIL ALLOCATION EXPANSION**

WHEREAS, Juvenile Crime Prevention Council (JCPC) funding is a partnership between the State of North Carolina and the County to ensure a local continuum of services for court involved and at-risk juveniles; and

WHEREAS, JCPC funding has seen no increase in more than nine years; and

WHEREAS, the Juvenile Justice Reinvestment Act passed in 2017, also referenced as North Carolina's Raise the Age legislation, expands the age of juvenile jurisdiction, increasing it to include juveniles ages 16 and 17 years of age effective December 1, 2019, and encourages School Justice Partnerships to address the reduction of school-based juvenile complaints thereby increasing the need for immediate and age-appropriate sanctions for juvenile offenders; and

WHEREAS, the Juvenile Crime Prevention Council, under the authority of NCGS§143B-851 and within the scope of its powers and duties, annually "reviews the needs of juveniles in the county who are at risk of delinquency or who have been adjudicated undisciplined or delinquent and the resources available to address those needs" and,

WHEREAS, the County JCPC is already aligned to assist the local School Justice Partnership with addressing resource and diversion programming needs for youth who commit school-based offenses, and,

WHEREAS, the effort to immediately and effectively address juvenile offending behavior is an evidence-based investment in North Carolina's future;

NOW, THEREFORE BE IT RESOLVED, that Hyde County fully supports an adequate and timely increase of local Juvenile Crime Prevention funding to ensure program expansion and successful implementation of the Juvenile Justice Reinvestment Act Raise the Age Legislation, set for December 1, 2019.

Adopted this ____ day of _____ 2018.

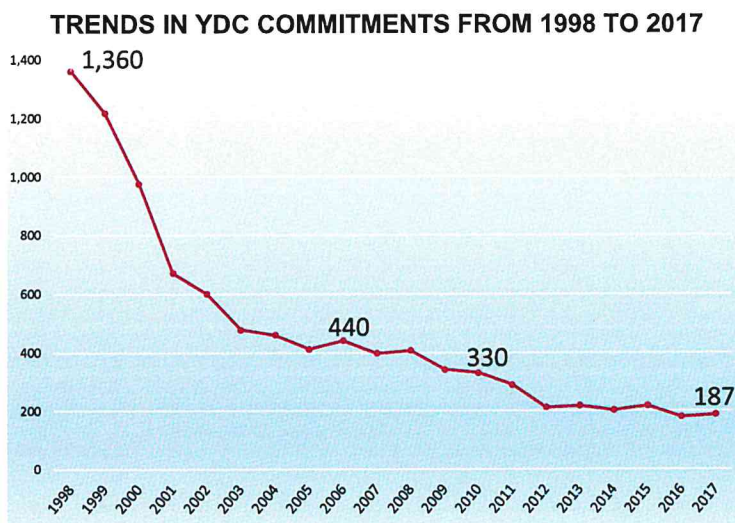
Chairman

Clerk to the Board

Information and Talking Points for Juvenile Crime Prevention Councils and Community-Based JCPC-funded Programs

Community based programs funded through Juvenile Crime Prevention Councils:

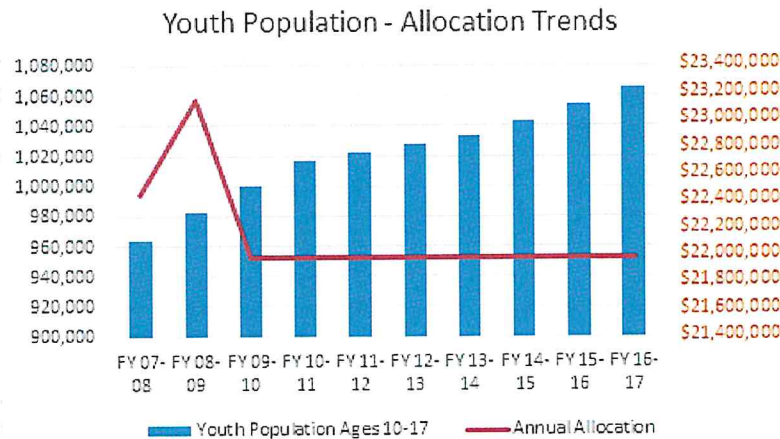
- Represent a tradition of partnership between the State of North Carolina and counties that began in 1977 as Community Based Alternatives to provide prevention and intervention services to delinquent and at-risk youth in our communities and in all 100 counties in our state.
- Annually serve over 20,000 youth and families, preventing the vast majority from penetration or deeper penetration of the juvenile justice system.
- Greatly reduce the need for additional funding of institutions. Consider this, if only 1% of the youth served in Juvenile Crime Prevention Council funded programs are kept out of Youth Development Centers, the cost saved in institutional expenditures far exceeds the current JCPC allocation. (almost \$22 million dollars). The average cost to serve a youth in a Youth Development Center in FY 2016-2017 was \$139,434, and in a Juvenile Crime Prevention funded community program, in Hyde County, the cost per child served was approximately \$2100 in 2017-18.
- Provide intermediate sanctions and early intervention programs that have helped make possible the 86.25% reduction in youth served by Youth Development Centers since 1998. The care of these youth has been shifted to the communities *without any increase in funding*.



- JCPC funded programs generate a large percentage of their annual operating budgets from sources other than state juvenile justice funds (including county match, local in-kind, other local funds/donations, and federal sources). Statewide, JCPC programs leverage over \$14.3 million in funding from other revenue sources statewide, which represents 40% of total revenues used to support JCPC funded programming across the state.
- Juvenile Crime Prevention Councils represent the diversity of the community, though they are legislatively prescribed members. Their charge is to facilitate collaboration and provide a unified response to County Commission boards, guiding and recommending services to build a local continuum of services to meet the unique, local needs of juveniles.
- Program impacts effect the youth holistically, with reduction of problem behaviors in the home and school, increase in academic skills and performance, and reduction of delinquency. JCPC programming often supports specialized services such as substance abuse, sexual offender assessment and treatment services.

Raise the Age:

- On December 1, 2019, the Raise the Age legislation of the Juvenile Justice Reinvestment Act will go into effect. The age of juvenile jurisdiction will rise to 18 at this time, in the middle of Fiscal Year 2019-2020.



- The current North Carolina JCPC Allocation is \$21,984,234. The graph above shows the total youth population between ages 10 to 17, compared to the annual JCPC allocation. While there has been a decrease in juveniles at intake and subsequent juvenile court direct referrals to JCPC programs that were primarily targeting court involved juveniles, there is an overall increase in the state's youth population. In an effort to continue to effectively implement the Comprehensive Strategy Framework, programs and strategies that conform to the legislative requirement for dispositional alternatives have seen a reduction in juvenile court involved youth referred statewide, as the number of juveniles at intake has decreased over the past several years. This is an encouraging trend, but there will most certainly be an increase in juveniles under the jurisdiction of juvenile court when Raise the Age is fully implemented, and JCPC programs need to be adequately funded in order to be fully prepared.
- The behaviors that result in juvenile complaints still persist. So, if North Carolina is to continue its success in diverting juveniles away from the justice system after Raise the Age takes effect on December 1, 2019, community-based programs will need the following to address and redirect those behaviors:
 - Expansion to be able to accommodate an older population
 - Expansion to assist local districts with School Justice Partnership initiatives, which is also an element of the Raise the Age legislation
 - Applicable training
 - Age-appropriate services and curriculum resources
- Without a correlating increase in JCPC funding to serve the additional youth with evidence-based approaches, seamless implementation will be improbable, as training and staffing resources have been weakened over the years by stagnant funding. There has been no increase in JCPC funding awarded by the General Assembly for over nine years.
- JCPCs will need to strategically prepare for the possibility of expansion funding in a mid-year funding cycle. Area Consultants will be working closely with JCPCs to devise a two-tiered planning process, to ensure that new expansion funding can be immediately utilized to begin program expansions, based on the local annual planning process. A thorough examination of locally projected increase in allocation funding needs will become the basis for supporting the statewide expansion request. Ideally, a JCPC allocation increase/expansion should be introduced by July 1, 2019, to support the development of needed services. JCPCs operate under legislative and administrative code constraints and are compelled to follow rigorous RFP and funding processes before funding is awarded.



Changes to County Development Tiers in 2019

From 2007 through 2018, the Department of Commerce's county development tiers have been determined through a formula based on four "development factors," as well as several "adjustment factors." The 2018 Appropriations Act ([S.L. 2018-5](#), Section 15.2.a) eliminates these "adjustment factors," and as of January 2019 only the economic distress rank based on the four development factors will be used to determine county development tiers. This will likely precipitate a significant initial movement of counties between Tiers for 2019.

The Tiers has, and will continue to rely on, four development factors for its county distress ranking: 1) unemployment rate, 2) median household income, 3) population growth, and 4) assessed property value per capita. After determining a ranking of counties' economic distress through these four development factors, several adjustments were legislatively required for small counties (under 12,000) and mid-size counties (less than 50,000) with high poverty rates (greater than 19%). There was also a stipulation that a Tier 1 county remain designated as such for at least two years. Following these adjustments, the counties which did not receive adjustments were assigned to the remaining slots based on their economic distress ranking, with the requirement that 40 counties be designated Tier 1, 40 counties Tier 2, and 20 counties Tier 3.

These automatic adjustments affected large numbers of counties and therefore the final tier designations. In 2018, for example, the adjustments resulted in 13 counties receiving a Tier 1 designation despite not being in the highest 40 counties by distress rank. This shifted 13 counties with a high distress ranking into Tier 2. In addition, 3 counties with rankings among the least distressed 20 counties were assigned to Tier 2, which shifted 3 less distressed counties to Tier 3.

The Department of Commerce will release the 2019 county development tiers on or before November 30, 2018 as required by General Statute [143B-437.08](#), using the most timely available data at that time. However, in anticipation of several counties changing tiers, this memo details the potential impacts using the 2018 tiers as an example.

If the adjustment factors had not been used when calculating the 2018 tiers, 32 counties would be in different tiers:

Tier 1 → Tier 2

13 Counties

Tier 2 → Tier 1 (most distressed)

13 Counties

Tier 2 → Tier 3

3 Counties

Tier 3 (least distressed) → Tier 2

3 Counties

The following spreadsheet provides the 2018 tier calculations as well as a scenario showing the impacts of removing the adjustment factors on the final county development tiers. The Department of Commerce is available to assist counties with understanding the changes to their tier designation as well as any other economic development needs going forward.

2018 Tiers & Impact New Rules Would Have Had on 2018 Designations

County	2018 Distress Rank (1=most distressed)	Official 2018 Tier	2018 Tier Under New Rules
Alamance	64	2	2
Alexander	60	2	2
Alleghany	47	1	2
Anson	11	1	1
Ashe	56	1	2
Avery	68	2	2
Beaufort	43	2	2
Bertie	4	1	1
Bladen	11	1	1
Brunswick	80	3	2
Buncombe	90	3	3
Burke	52	2	2
Cabarrus	94	3	3
Caldwell	41	2	2
Camden	77	1	2
Carteret	78	3	2
Caswell	22	1	1
Catawba	62	2	2
Chatham	100	3	3
Cherokee	54	1	2
Chowan	27	1	1
Clay	66	1	2
Cleveland	38	2	1
Columbus	10	1	1
Craven	49	2	2
Cumberland	20	2	1
Currituck	98	2	3
Dare	76	2	2
Davidson	68	2	2
Davie	79	2	2
Duplin	23	2	1
Durham	92	3	3
Edgecombe	1	1	1
Forsyth	72	2	2
Franklin	70	2	2
Gaston	58	2	2
Gates	42	1	2
Graham	25	1	1
Granville	74	3	2
Greene	15	1	1
Guilford	70	2	2
Halifax	2	1	1
Harnett	50	2	2
Haywood	81	3	3
Henderson	91	3	3
Hertford	9	1	1
Hoke	34	2	1
Hyde	21	1	1
Iredell	95	3	3
Jackson	75	1	2

County	2018 Distress Rank (1=most distressed)	Official 2018 Tier	2018 Tier Under New Rules
Johnston	86	3	3
Jones	31	1	1
Lee	44	2	2
Lenoir	14	1	1
Lincoln	85	3	3
Macon	73	1	2
Madison	61	2	2
Martin	15	1	1
McDowell	51	1	2
Mecklenburg	92	3	3
Mitchell	32	1	1
Montgomery	46	1	2
Moore	87	3	3
Nash	30	2	1
New Hanover	96	3	3
Northampton	11	1	1
Onslow	36	2	1
Orange	89	3	3
Pamlico	63	2	2
Pasquotank	37	1	1
Pender	83	3	3
Perquimans	38	1	1
Person	64	1	2
Pitt	33	2	1
Polk	82	2	3
Randolph	53	2	2
Richmond	6	1	1
Robeson	3	1	1
Rockingham	27	2	1
Rowan	59	2	2
Rutherford	25	2	1
Sampson	17	2	1
Scotland	5	1	1
Stanly	67	2	2
Stokes	54	2	2
Surry	34	2	1
Swain	40	1	1
Transylvania	84	2	3
Tyrrell	24	1	1
Union	97	3	3
Vance	7	1	1
Wake	99	3	3
Warren	19	1	1
Washington	8	1	1
Watauga	88	3	3
Wayne	18	2	1
Wilkes	47	2	2
Wilson	29	2	1
Yadkin	45	1	2
Yancey	57	1	2

**Hyde County Board of Commissioners
AGENDA ITEM SUMMARY SHEET**

Meeting Date: December 3, 2018
Presenter: County Manager Kris Noble
Attachment: Yes

ITEM TITLE: RESOLUTION TO ADOPT MEETING CALENDAR FOR 2018

SUMMARY: A resolution must be passed by the Board to adopt the official calendar of Board meetings, as directed by General Statute §143-318.12.

“Resolution No. 2018-12-03 – Resolution of The Hyde County Board of Commissioners Establishing Regular Meeting Dates” is attached for Board approval.

RECOMMEND: Discussion and approval.

MOTION MADE BY: ___ PUGH
___ SIMMONS
___ PAHL
___ SWINDELL
___ TOPPING

MOTION SECONDED BY: ___ PUGH
___ SIMMONS
___ PAHL
___ SWINDELL
___ TOPPING

VOTE: ___ PUGH
___ SIMMONS
___ PAHL
___ SWINDELL
___ TOPPING

Board of Commissioners
Earl Pugh, Jr.
Benjamin Simmons, III
Thomas Pahl
Shannon Swindell
James R. Topping

COUNTY OF HYDE
30 Oyster Creek Road
PO Box 188
SWAN QUARTER, NORTH CAROLINA 27
252-926-4400
252-926-3701 Fax

Kristen Cahoon Noble
County Manager

Franz Holscher
County Attorney

Lois Stotesberry, CMC, NCCCC
Clerk to the Board



Resolution No. 2018-12-03

**RESOLUTION OF THE HYDE COUNTY BOARD OF COMMISSIONERS
ESTABLISHING REGULAR MEETING DATES**

WHEREAS, pursuant to NCGS 153A-40, the Hyde County Board of Commissioners have elected to adopt a meeting schedule by resolution so that its members and the public may know when Regular meetings of the Board are to be held;

WHEREAS, the Hyde County Board of Commissioners adopted Rules of Procedure on February 4, 2013, calling for Regular meetings on the first Monday of each month, or as otherwise provided;

WHEREAS, nothing in this Resolution shall preclude the Hyde County Board of Commissioners from holding Special or Emergency meetings as such may be allowed by law;

WHEREAS, the Board of Commissioners desires to begin all calendar year 2019 Regular Board Meetings at 6:00 p.m.; and,

WHEREAS, the Hyde County Board of Commissioners utilizes an electronic meeting system for the simultaneous audio and/or video conduct of Regular meetings on both the Mainland and Ocracoke, the sites of such electronic meetings being as follows unless an alternative location is posted on the door of the meeting site:

- "Government Center" means the Multi-Use Room in the Government Center, 30 Oyster Creek Road, Swan Quarter, NC.
- "Ocracoke" means the Community Center, 999 Irvin Garrish Highway, Ocracoke, NC.
- * means the meeting date is on Tuesday.

WHEREAS, the Hyde County Board of Commissioners, at its Organizational Meeting on December 3, 2018, unanimously moved to call for Regular meetings on the first Monday of each month, or as otherwise provided;

NOW, THEREFORE, BE IT RESOLVED that the Hyde County Board of Commissioners adopts the following schedule for regular Board meetings:

January 7, 2019
February 4, 2019
March 4, 2019
April 1, 2019
May 6, 2019
June 3, 2019

July 1, 2019
August 5, 2019
September 3, 2019*
October 7, 2019
November 4, 2019
December 2, 2019

BE IT FURTHER RESOLVED that the Clerk is hereby directed to post a copy of this Resolution on the courthouse bulletin board and to publish a summary in the *Coastland Times* newspaper on or before December 30, 2018.

Duly adopted this the 3rd day of December, 2018.

Chair, Hyde County Board of Commissioners

ATTEST:

Clerk to the Board of Commissioners

SEAL

2019 Calendar

Calendarpedia
Your source for calendars

January						
Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

February						
Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28		

March						
Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
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17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

April						
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28	29	30				

May						
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19	20	21	22	23	24	25
26	27	28	29	30	31	

June						
Su	Mo	Tu	We	Th	Fr	Sa
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16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

July						
Su	Mo	Tu	We	Th	Fr	Sa
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14	15	16	17	18	19	20
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28	29	30	31			

August						
Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
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11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

September						
Su	Mo	Tu	We	Th	Fr	Sa
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15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

October						
Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
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20	21	22	23	24	25	26
27	28	29	30	31		

November						
Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

December						
Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

Federal Holidays 2019

Jan 1	New Year's Day	Jul 4	Independence Day	Nov 28	Thanksgiving Day
Jan 21	Martin Luther King Day	Sep 2	Labor Day	Dec 25	Christmas Day
Feb 18	Presidents' Day	Oct 14	Columbus Day		
May 27	Memorial Day	Nov 11	Veterans Day		

BoC Meetings

**Hyde County Board of Commissioners
AGENDA ITEM SUMMARY SHEET**

Meeting Date: December 3, 2018
Presenter: Luana Gibbs
Attachment: No

ITEM TITLE: Dismissal of 2 Board Members from Hyde County Board of Health

SUMMARY: The Hyde County Board of Health seeks approval to dismiss JW Spencer and Sharon Sadler from its Board related to absenteeism as stated in the Board of Health Bylaws.

RECOMMEND: Approval

MOTION MADE BY: ☐ PUGH
☐ SIMMONS
☐ PAHL
☐ SWINDELL
☐ TOPPING

MOTION SECONDED BY: ☐ PUGH
☐ SIMMONS
☐ PAHL
☐ SWINDELL
☐ TOPPING

VOTE: ☐ PUGH
☐ SIMMONS
☐ PAHL
☐ SWINDELL
☐ TOPPING

**Hyde County Board of Commissioners
AGENDA ITEM SUMMARY SHEET**

Meeting Date: December 3, 2018
Presenter: County Manager Kris Cahoon Noble
Attachment: Yes

ITEM TITLE: VOTING DELEGATE DESIGNATION FORM FOR LEGISLATIVE GOALS CONFERENCE

SUMMARY: The NC Association of County Commissioners is requesting that all Board of County Commissioners designate a commissioner or other official as a voting delegate for the 2019 Legislative Goals Conference to be held on January 10-11 at the Raleigh Marriott Crabtree Valley. The nominee will represent Hyde County at the conference.

RECOMMEND: NOMINATE HYDE COUNTY REPRESENTATIVE FOR THE 2019 LEGISLATIVE GOALS CONFERENCE

Motion Made By: ☐ Earl Pugh, Jr.
☐ Shannon Swindell
☐ James Topping
☐ Ben Simmons
☐ Tom Pahl

Motion Seconded By: ☐ Earl Pugh, Jr.
☐ Shannon Swindell
☐ James Topping
☐ Ben Simmons
☐ Tom Pahl

Vote: ☐ Earl Pugh, Jr.
☐ Shannon Swindell
☐ Dick Tunnell
☐ Ben Simmons
☐ Tom Pahl



Voting Delegate Designation Form
Legislative Goals Conference
January 10-11, 2019 (Thursday – Friday)
Raleigh Marriott Crabtree Valley – Wake County

NOTE: Please place this action on your board meeting agenda.

Each Board of County Commissioners is hereby requested to designate a commissioner or other official as a voting delegate for the 2019 Legislative Goals Conference. Each voting delegate should complete and sign the following statement and **return it to the Association no later than Friday, December 28, 2018.**

Please return form to Alisa Cobb, Executive Assistant, by email at alisa.cobb@ncacc.org or by fax at 919-733-1065.

I, _____, hereby certify that I am the duly designated voting delegate for _____ County at the North Carolina Association of County Commissioners 2019 Legislative Goals Conference.

Signed: _____

Title: _____

Article VI, Section of the Association's Constitution provides:

"On all questions, including the election of officers, each county represented shall be entitled to one vote, which shall be the majority expression of the delegates of that county. The vote of any county in good standing may be cast by any one of its County Commissioners who is present at the time the vote is taken; provided, if no commissioner be present, such vote may be cast by another county official, elected or appointed, who holds elective office or an appointed position in the county whose vote is being cast and who is formally designated by the Board of County Commissioners. These provisions shall likewise govern district meetings of the Association. A county in good standing is defined as one which has paid the current year's dues."